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DEPT	OF INSURANCE
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١	In the Matter of:)
١) No. 06A- 237 - INS
	DAVID ALLAN SKJERVEN,)
١	360) CONSENT ORDER
	Respondent.)
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The State of Arizona Department of Insurance ("Department") has received evidence that David Allan Skjerven ("Respondent") violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- Respondent is, and was at all material times licensed as a non-resident accident/health/life producer, Arizona license number 123191, which license expires January 31, 2007.
- 2. On February 15, 2005, The State of North Dakota, County of Burleigh, before the Securities Commissioner entered into a Consent Order with David Allan Skjerven stating that between May and July of 2002 David Allan Skjerven committed two violations of selling notes not registered with the Securities Department. Skjerven violated the securities code by selling unqualified securities, selling securities based on untrue statements and omission of material facts, and selling securities without a license. The Commissioner imposed a fine totaling \$10,000.00 in civil penalties.
- 3. On July 21, 2005, The National Association of Securities Dealers (NASD) subsequently filed an Acceptance and Consent No. E0420040464-03 against David Allan Skjerven barring Respondent from the NASD.

- 4. On October 5, 2006, Respondent entered into a consent order with the North Dakota Commissioner of Insurance wherein his non-resident insurance license was revoked for violations involving fraudulent, coercive or dishonest practices, or demonstrating incompetence in the conduct of business and for the improper withholding, misappropriation or conversion of any monies or properties received in the course of doing insurance business
- 5. On November 13, 2006, the Minnesota Department of Commerce, Insurance Department summarily suspended Respondent's resident insurance license based on the North Dakota action.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere within the meaning of A.R.S. § 20 -295(A)(8).
- 3. Respondent's conduct as described above constitutes having had an insurance license suspended or revoked in any other state, province, district or territory within the meaning of A.R.S. § 20 -295(A)(9).
- 4. Respondent's conduct as described above constitutes the failure to be currently licensed as a resident and in good standing in the person's home state, within the meaning of A.R.S. § 20-287(A)(1).
- 5. Respondent's conduct as described above constitutes violating any provision of Title 20, within the meaning of A.R.S. § 20-295(A)(2).

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6. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A).

ORDER

IT IS HEREBY ORDERED THAT Respondent's non-resident license is revoked effective immediately upon entry of this Order.

CHRISTINA URIAS
Director of Insurance

CONSENT TO ORDER

- 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
 Conclusions of Law and Order.
- 3. Respondent is aware of his right to notice and a hearing at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to him to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.

1	5. Respondent acknowledges that the acceptance of this Consent Order by the					
2	Director is solely to settle this matter against him and does not preclude any other agency,					
3	officer, or subdivision of this state from instituting civil or criminal proceedings as may be					
4	appropriate now or in the future nor does it preclude the Department from instituting civil or					
5	criminal proceedings as may be appropriate now or in the future not related to this matter.					
6	12-20-06 Dulaffin					
7	Date David Allan Skjerven					
8	License Number 123191					
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10	COPIES of the foregoing mailed/delivered this 28th day of December, 2006, to:					
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12	David Allan Skjerven 360 Red Butte Drive					
13	Sedona, Arizona 86351					
14	Mary Kosinski, Executive Assistant for Regulatory Affairs					
15	Catherine M. O'Neil, Consumer Legal Affairs Officer Steve Fromholtz, Licensing Supervisor Arnold Sniegowski, Investigations Supervisor					
16	Mark Denman, Investigator					
17	Department of Insurance 2910 North 44 th Street, Suite 210 Phoenix, Arizona 85018					
18	Priderix, Arizona 650 to					
19	Curvey Walters Burton					
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